



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

15 NOV 2004

Mr. Roderick L. Bremby, Secretary
Kansas Department of Health & Environment
Office of the Secretary
1000 SW Jackson, Suite 540
Topeka, Kansas 66612-1368

Dear Mr. Bremby:

RE: Smoky Hill/Saline Basin TMDLs

This letter is in response to 10 Total Maximum Daily Load (TMDL) documents submitted by the Kansas Department of Health and Environment and received by the U.S. Environmental Protection Agency (EPA) on July 9, 2004. Specifically, these 10 documents, representing their waterbodies and impairments, were addressed:

1. Upper Kansas River, Lower Smoky Hill River, Lower Saline River, including Wolf Creek – Sulfate – revision received September 29, 2004.
2. Upper Kansas River, Lower Smoky Hill River, Lower Saline River, including Wolf Creek – Chloride – revision received September 29, 2004.
3. Kanapolis Lake, Smoky Hill River (Ellsworth, Wilson, and Russell), Beaver Creek, North Fork Big Creek, Fossil Creek, Goose Creek, Landon Creek, and Sellens Creek – Chloride, revision received September 29, 2004.
4. Wolf Creek – Selenium - revision received July 29, 2004.
5. Wilson Lake and the Wilson Lake Watershed including Paradise Creek and Saline River (Russell) – Chloride - revision received September 29, 2004.
6. Wilson Lake and the Wilson Lake Watershed including Paradise Creek and Saline River (Russell), and Saline River (Hays) – Sulfate - revisions received September 29, and November 1, 2004.
7. Wilson Lake and the Wilson Lake Watershed including Paradise Creek and Saline River (Russell, Hays) – Selenium.
8. Smoky Hill River above Elkader – Fluoride - revision received July 29, 2004.

9. Smoky Hill River (Trego) – Dissolved Oxygen - revision received July 29, 2004.
10. Cedar Bluff Lake Watershed including the Smoky Hill River (Elkader, Gove, and Trego) – Selenium.

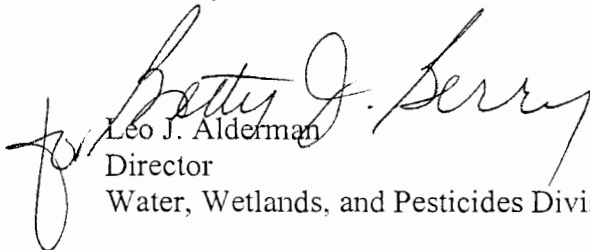
In all, the 10 documents constitute 462 TMDLs for waterbodies identified on the 2002 Kansas §303(d) list, and located in the Smoky Hill/Saline Basin. In addition to fulfilling the Clean Water Act statutory requirement to develop TMDLs for those waters listed on the Kansas §303(d) list, this submission was made pursuant to Paragraph 7 of the Consent Decree requirements entered on April 13, 1998.

EPA has completed its review of these TMDL documents and by this letter, EPA approves the 10 TMDL documents submitted. Region 7 TMDL review forms are enclosed with this letter which summarize the rationale for EPA's approval for each TMDL document. EPA believes the separate elements of the TMDLs described in the review forms adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

EPA is currently engaged in consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service regarding these TMDLS. While EPA is approving these TMDLs at the present time, EPA may decide that changes to the TMDLs are warranted based upon the results of the consultation when it is completed.

EPA commends KDHE on its efforts to submit these TMDLs for the Smoky Hill/Saline Basin as set forth in the Consent Decree requirements. EPA appreciates the thoughtful teamwork and partnering effort that Kansas has put forth in the development of these Smoky Hill/Saline Basin TMDLs as well. We will continue to cooperate and assist, as appropriate, in future efforts by Kansas to develop TMDLs.

Sincerely,


Leo J. Alderman
Director
Water, Wetlands, and Pesticides Division

Enclosures

cc: Tom Stiles
Kansas Department of Health and Environment

John Simpson
KNRC, Inc.